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16th February, 1960.COCOM Document 3715.01/5BCOORDINATING COMMITTEERECORD OF DISCUSSIONONITEM 1501 - COMMUNICATIONS, NAVIGATION, DIRECTION FINDINGAND RADAR EQUIPMENT28th January, 1960.

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Present: Belgium(Luxembourg), Canada, Denmark, France, Germany, Italy, Japan, Netherlands, Turkey, United Kingdom, United States.

References: COCOM Docs. Nos. 3700.1, 2 and 5, 3715.00/1, 3715.01/1-4 and W.P. 1501/1 - 6.

1. The CHAIRMAN referred to the United States proposal in paragraph 2 of COCOM Doc. No. 3715.01/4, and invited delegates to make known their Governments' views.
2. The BELGIAN and JAPANESE Delegates were able to agree to this proposal.
3. The FRENCH Delegate stated that he was able to withdraw the reservation he had made at the last meeting (COCOM Doc. No. 3715.01/4, paragraph 8) with respect to the definition set out in the Annex to COCOM Doc. No. 3715.01/3. The French Delegation agreed to this definition as it stood, and were thus unable to accept the latest United States proposal, although they could have regarded it as a sound basis for discussion if it had also been applicable to Items 1520, 1523 and 1526.
4. The CHAIRMAN noted that the United States proposal had not met with unanimous approval in the Committee and invited delegates to give views on the United Kingdom proposal in paragraph 7 of COCOM Doc. No. 3715.01/4.
5. The UNITED STATES and UNITED KINGDOM Delegates explained that they had agreed to amend this proposal as follows:

"The Committee will consider requests by Governments to treat as falling within the scope of this Note specified equipments which have been in normal civil use less than two years but which in characteristics, performance and technology are equivalent to the equipment covered by this Note."
6. The FRENCH Delegate stated that he saw no point in this addition. Since Note B to sub-item (a) called for prior notification, it was obvious that the Committee would in any event ask to discuss cases which did not appear to meet all the requirements of the procedure.
7. The UNITED KINGDOM Delegate explained that Note B to sub-item 1501(a) enabled Governments to license exports of certain equipment under a "prior notification" procedure. There might, however, be equipments which were not covered by the Note but which were equivalent to equipments which could be exported under it, except for the fact that they had not been in use for two years. The object of the proposed addition to Note B was to provide a procedure whereby Governments could seek the Committee's agreement to treat specified equipments which had not been in use for two years in the same way as equivalent equipments which were covered by the Note.

8. The FRENCH Delegate, in reply to his United Kingdom colleague's last remark, stressed that a notification procedure allowing of discussion and objection amounted to prior consultation. This was why in the present instance the French Delegation saw no point in complicating the procedure by adding the United Kingdom wording.
9. The CHAIRMAN noted that the joint United Kingdom/United States proposal in paragraph 5 above had not met with unanimous approval, and invited delegates to give views on the United Kingdom proposal amended by the German Delegation and set out in paragraph 17 of COCOM Doc. No. 3715.01/4.
10. The GERMAN Delegate stated that he had no strong views as to the form of the proposed redefinition, but stressed that it would be highly regrettable if lack of agreement on wording which applied to a small fraction of equipment should result in the retention under embargo of a vast amount of equipment which the Committee was unanimously in favour of releasing.
11. The UNITED KINGDOM Delegate was also ready to change the proposed wording if necessary. However, his technical advice was that technical equipment only would be freed by the revised wording for sub-item (d)(5), as amended by the German Delegation, and in particular the embargo position of TACAN equipment would be in no way affected.
12. The FRENCH Delegate recalled that his Delegation were not in favour of the wording suggested, since they believed it might free from embargo certain new equipments very similar to TACAN.
13. The CHAIRMAN noted that the redefinition proposed had not met with unanimous approval, and that the text of sub-item (d)(5) to appear in the Lists would therefore be that set out in the Annex to COCOM Doc. No. 3715.01/3.
14. The GERMAN Delegate hoped that, in these circumstances, the Committee would give very sympathetic consideration to any exception cases submitted under the accident-of-definition procedure for equipment other than TACAN which would have been free under the redefinition proposed for sub-item (d)(5).
15. The UNITED KINGDOM Delegate noted that the Committee had reached almost unanimous agreement on the United States compromise proposal for sub-items (b) and (e) and the United Kingdom proposal for sub-item (d)(5). He therefore invited the French Delegation to reconsider the matter in the light of the latest discussions. The Delegate could understand the wish to avoid too wide a variety of exceptions systems, but stressed that the Committee should endeavour to strike an even balance between the desires of the various delegations, the strategic risks involved and all the factors surrounding a given item. Once this had been accomplished, it was a great pity if agreement could not be reached on the relaxation of the controls merely because the procedure proposed for one item was not applicable to others. In the present instance, the French Delegation had said that they would have considered the United States proposals to be a valid basis for discussion had they been equally applicable to Items 1520, 1523 and 1526. This position was based on a principle to which the United Kingdom Delegation strongly objected, since it might well be prejudicial to the whole work of the Committee. The United Kingdom Delegation believed it essential to study each individual proposal in the light of all the factors relevant thereto. If the French Delegation could put forward specific strategic arguments against the United States proposals for Item 1501, such arguments would have to be studied in detail. In conclusion the Delegate hoped that the French Delegation would reconsider their position or be able to suggest some other way of excluding from Item 1501 equipment which, in the view of the great majority of Member Governments, no longer warranted retention under embargo.
16. The GERMAN Delegate agreed with his United Kingdom colleague's remarks in principle, but added that any delegation was free to group items

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which they believed to be of equal strategic importance. The German Delegation would, however, be glad if the French Delegation could reconsider their position as regards Item 1501.

17. The UNITED STATES Delegate stated that he would be most interested to hear the French Delegation's arguments as to the strategic significance of Item 1501. He was not interested in an attempt to compare the strategic importance of this item with that of other items on the Lists.

18. The FRENCH Delegate undertook to transmit the United Kingdom Delegate's comments to his Government. He recalled that his Delegation's views were well known, and that he had already explained that, after a special meeting of high-ranking officers of the Land, Sea and Air Forces, the French Delegation had been instructed to oppose any relaxation in the control applied to Item 1501, which the French experts believed to be at least as strategic as Items 1520, 1523 and 1526. As a result of bilateral approaches, the French Delegation had been willing to agree to the release of the least strategic of the equipment covered by Item 1501, provided that the non-strategic equipment covered by Items 1520, 1523 and 1526 were similarly treated. The Delegate did not see how his Delegation's position could be termed illogical. In reply to the requests made by the United Kingdom and United States Delegations, he explained that his Delegation would submit in writing the strategic reasons for which they had rejected the latest proposals for Item 1501.

19. The CHAIRMAN noted that agreement had not been reached on the newly-submitted proposals, and that the definition of Item 1501 to be included in the new Lists (Doc. 4000) and to enter into force on the 1st February, 1960 would therefore be that set out in the Annex to COCOM Doc. No. 3715.01/3.

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